

# HOUSE BILL NO. 1271

## 100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE UNSICKER.

3233H.011

DANA RADEMAN MILLER, Chief Clerk

### AN ACT

To amend chapter 407, RSMo, by adding thereto one new section relating to the sale of baby crib bumper pads, with penalty provisions and a delayed effective date.

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 407, RSMo, is amended by adding thereto one new section, to be known as section 407.780, to read as follows:

**407.780. 1. As used in this section, the following terms shall mean:**

(1) "Children's product", a product including, but not limited to, a crib, toddler bed, bed, car seat, chair, high chair, booster chair, bath seat, gate or other enclosure for confining a child, play yard, stationary activity center, carrier, stroller, walker, swing, or toy or play equipment that is designed or intended for the care of or use by a child;

(2) "Commercial dealer", any person who deals in children's products or crib bumper pads or who otherwise by one's occupation holds oneself out as having knowledge or skill relating to children's products or crib bumper pads or any person who is in the business of remanufacturing, retrofitting, selling, leasing, subletting, or otherwise placing in the stream of commerce children's products or crib bumper pads;

(3) "Crib bumper pad", a pad or pads of nonmesh material including, but not limited to, a roll of stuffed fabric that is designed for placement within a crib to cushion one or more of the crib's inner sides adjacent to the crib mattress. Crib bumper pad shall not include mesh liners;

(4) "Distributor" or "wholesaler", any person other than a manufacturer or retailer who sells or resells or otherwise places into the stream of commerce a children's product or crib bumper pad;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18           **(5) "Importer", any person who brings into this country and places into the stream**  
19 **of commerce a children's product or crib bumper pad;**

20           **(6) "Manufacturer", any person who makes and places into the stream of**  
21 **commerce a children's product or crib bumper pad;**

22           **(7) "Retailer", any person other than a manufacturer, distributor, or wholesaler**  
23 **who sells, leases, or sublets children's products or crib bumper pads.**

24           **2. No commercial dealer, distributor, wholesaler, importer, manufacturer, or**  
25 **retailer shall sell, lease, offer for sale, or offer for lease in the state any crib bumper pad**  
26 **as an accessory to a crib or as a separate item.**

27           **3. Any violation of the provisions of this section shall result in a penalty of not less**  
28 **than one hundred dollars nor more than five hundred dollars for each offense.**

          Section B. The enactment of section 407.780 of section A of this act shall become  
2 effective on January 1, 2021.

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